

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Dee OTTAVIANO,	:	
Plaintiff,	:	
	:	
v.	:	Civ. No. 3:00cv536 (PCD)
	:	
PRATT & WHITNEY, Division of	:	
United Technologies Corp.,	:	
Defendant.	:	

RULING ON DISCOVERY MOTIONS

Defendant moves to quash the subpoena of Ms. Snyder and for a protective order to bar her deposition. The motion is denied. The deposition, pursuant to Rule 30,¹ was originally noticed within the current discovery deadline and was within the scope of discovery. While Plaintiff has previously filed for two extensions of the discovery deadline, neither referenced the present deposition as a reason for the extension, Plaintiff's assertions of recently changed circumstances are accepted. Defendant is not shown to be prejudiced nor burdened by Ms. Snyder's deposition.

The notice to appear at the deposition also includes a request to produce documents pursuant to Rule 30(b)(5).² Rule 30(b)(5) requires that Rule 34 be applied to such requests. Rule 34(b) requires that a party be given thirty days to respond. Orleman v. Jumpking, Inc., No. CIV.A.99-2522-CM, 2000 WL 1114849, at *9 (D. Kan. July 11, 2000) ("one should not be able to circumvent the 30-day period provided for under Rule 34 by issuing a notice of deposition"). She is entitled to the full thirty days, from the date

¹ Defendant does not argue that Ms. Snyder, as Plaintiff's former immediate supervisor, is not a party. Rule 30 applies only to parties.

² Rule 30(b)(5) applies only to party deponents.

of receipt of the notice, in which to respond. The notice was received by Defendant's counsel on April 30, 2001. As the thirty-day period has already passed, Ms. Snyder has already had some opportunity to prepare any objections or to begin compiling the requested documents. She may have until June 21, 2001 to produce the documents.

Plaintiff moves for an additional three weeks in which to conduct the deposition. The motion is granted in part. The deadline for the completion of discovery shall be June 21, 2001. The deadline for the filing of dispositive motions shall be July 9, 2001.

CONCLUSION

Defendant's motion to quash the subpoena of Ms. Snyder, (Dkt. No. 22-1) is **denied**. Defendant's motion for a protective order to bar her deposition, (Dkt. No. 22-2), is **denied**. Plaintiff's motion for an extension of time in which to continue the deposition, (Dkt. No. 19), is **granted in part**. The deadline for the completion of discovery shall be June 21, 2001. The deadline for the filing of dispositive motions shall be July 9, 2001.

SO ORDERED.

Dated at New Haven, Connecticut, June __, 2001.

Peter C. Dorsey
Senior United States District Judge